

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5332
OFFERED BY MS. TLAIB OF MICHIGAN**

Add at the end the following new section:

1 **SEC. 11. USE OF CONSUMER REPORTS AND CONSUMER IN-**
2 **FORMATION FOR AUTO INSURANCE PURPOSE**
3 **PROHIBITED.**

4 (a) IN GENERAL.—Section 604(a)(3)(C) of the Fair
5 Credit Reporting Act (15 U.S.C. 1681b(a)(3)(C)) is
6 amended by inserting “, except auto insurance (as defined
7 under subsection (h)(3))” before the semicolon.

8 (b) RULE OF CONSTRUCTION.—Section 604 of the
9 Fair Credit Reporting Act (15 U.S.C. 1681b) is amended
10 by adding at the end the following new subsection:

11 “(h) AUTO INSURANCE. NOT AN AUTHORIZED BUSI-
12 NESS PURPOSE.—

13 “(1) IN GENERAL.—No consumer reporting
14 agency may furnish a consumer report or consumer
15 information with respect to any consumer to any
16 person for use in making any decision to underwrite
17 or rate auto insurance, and no person shall use or
18 obtain a consumer report or consumer information
19 with respect to any consumer in connection with the

1 underwriting or rating of any consumer in connec-
2 tion with a transaction involving auto insurance.

3 “(2) INSURANCE INFORMATION NOT IN-
4 CLUDED.—Information derived from the following
5 databases shall not be treated as a consumer report
6 or consumer information for purposes of paragraph
7 (1):

8 “(A) Databases that contain information
9 on property loss data regarding auto insurance,
10 such as the Comprehensive Loss Underwriting
11 Exchange (CLUE) and Automobile Property
12 Loss Underwriting System (A-PLUS).

13 “(B) Databases that contain information
14 on driver history, such as accidents or moving
15 violations, typically maintained at State depart-
16 ments of motor vehicles.

17 “(3) DEFINITIONS.—For purposes of this sub-
18 section:

19 “(A) CONSUMER INFORMATION.—The
20 term ‘consumer information’ means any infor-
21 mation from the file of any consumer at a con-
22 sumer reporting agency, or any product derived
23 from any such information such as consumer
24 credit reports or credit scores or any other risk
25 score or predictor on any consumer.

1 “(B) AUTO INSURANCE.—The term ‘auto
2 insurance’ means any personal automobile line
3 of insurance, as defined in the Uniform Prop-
4 erty and Casualty Product Coding Matrix es-
5 tablished and maintained by the National Asso-
6 ciation of Insurance Commissioners or any suc-
7 cessor document.”.



